

8800/SHV
CICHANOWICZ, CALLAN, KEANE, VENGROW & TEXTOR
61 BROADWAY, SUITE 3000
NEW YORK, NEW YORK 10006
212-344-7042

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BAX GLOBAL, INC. and BAX GLOBAL,
S.A.

Plaintiffs,

v.

OCEAN WORLD LINES, INC.

Defendant

OCEAN WORLD LINES, INC.

Third Party Plaintiff

v.

COSCO Container Lines and COSCO North
America, Inc.

Third Party Defendants

07 cv 10457 (NRB)

ECF

**OCEAN WORLD LINES
ANSWER
TO COUNTER CLAIM**

Defendant OCEAN WORLD LINES (hereinafter “OWL”) by and through its attorneys, Cichanowicz, Callan, Keane, Vengrow & Textor, LLP, Answers the Third Party Defendants’ Cosco Container Lines Co., Ltd. and Cosco North America (hereinafter referred to as “Cosco”), counter claim, docket no 07 cv 10457 (NRB), upon information and belief, as follows:

1. OWL repeats and realleges each and every admission, denial, denial of knowledge or information and/or affirmative defense as set forth in its Answer to the Plaintiff’s

Complaint and its Third Party Complaints with the same force and effect as if herein set forth at length.

2. OWL denies all of the allegations against it in paragraph 33 of Cosco's Counter Claim, except admits that the misdelivery, damage or loss suffered by Plaintiff and/or Third Party Plaintiff as alleged in the Complaint and Third Party Complaint was caused by the fault, neglect, omission, or breach of contract by Third Party Defendants, their agents, servants, or employees.
3. OWL denies all of the allegations against it in paragraph 34 of Cosco's Counter Claim.

WHEREFORE, Defendant OWL prays that:

- a. Cosco's Counter Claim against OWL be dismissed
- b. Cosco's Cross Claim against OWL be dismissed;
- c. Plaintiff's Complaint against OWL be dismissed;
- d. OWL's Counter Claim against Plaintiff be granted;
- e. OWL's Third Party Complaint against Cosco be granted;
- f. and that the Court may grant such other or further relief as may be just and proper.

Dated: New York, New York
June 25, 2008

CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP
61 Broadway, Suite 3000
New York, New York 10006
Attorneys of Defendant Ocean World Lines

By: S/ Stephen Vengrow
Stephen H. Vengrow

CERTIFICATE OF SERVICE BY ECF

The undersigned declares under penalty of perjury that the following is true and correct:

1. I am over the age of eighteen years and I am not a party to this action.

2. On June 25, 2008, I served by ECF a complete copy of OCEAN WORLD LINES answer to the Cosco Cross Claim and Counter Claim the following attorneys at the ECF registered address:

Katten Muchin Rosenman LLP
Attention: Philip A. Nemecek, Esq.
575 Madison Avenue
New York, New York 10022
212-940-8800
Attorneys for Plaintiff

Jack A. Greenbaum
Blank Rome LLP
The Chrysler Building, 405 Lexington Avenue
New York, NY 10174-0208
Phone: 212.885.5284 | Fax: 917.332.3834

DATED: June 25, 2008
New York, New York

S/ Jessica De Vivo, Esq. (JAD/6588)